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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/903,120	07/10/2001	Kirk Steven Tecu	10013035-1	9543

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HEWLETT-PACKARD COMPANY  
Intellectual Property Administration  
P.O. Box 272400  
Fort Collins, CO 80527-2400

EXAMINER

SAFAIPOUR, HOUSHANG

ART UNIT	PAPER NUMBER
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2622

DATE MAILED: 12/29/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/903,120

Applicant(s)

TECU ET AL.

Examiner

Houshang Safaipoor

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
  - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
  - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
  - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 11 July 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 12/23/04
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: \_\_\_\_

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-12 and 14-17 are rejected under 35 U.S.C. 102(b) as being anticipated by Rabindran et al. (U. S. Patent No. 4,185,900).

Regarding claim 1, Rabindran et al. discloses a template for a scanning system, the template comprising: a template body, and an actuation device disposed on the template body for actuating a switch (figs. 7 & 8, col. 5, line 61 through col. 6 line 36).

Regarding claim 2, Rabindran et al. discloses the template according to claim 1, wherein the template further comprises an insert area for receiving a transparent media therein (col. 2, lines 7-18).

Regarding claim 3, Rabindran et al. discloses the template according to claim 1, wherein the template body is opaque (col. 2, lines 7-18).

Regarding claim 4, Rabindran et al. discloses the template according to claim 1, wherein the switch is on a transparent media adapter and the actuation device is a protrusion (please refer to arguments under claim 1).

Regarding claim 5, Rabindran et al. discloses the template according to claim 1, wherein actuation of the switch results in generation of a signal, the signal being transmitted to a

computer operable to control the scanning system, the computer directing the scanning system to execute a scan routine in response to reception of the signal (col. 6, lines 37-54).

Regarding claim 6, Rabindran et al. discloses the template according to claim 1, further comprising a plurality of actuation devices each for actuating a respective switch of a plurality of switches (figs. 7 & 8, col. 5, line 61 through col. 6 line 36).

Regarding claim 7, Rabindran et al. discloses the template according to claim 6, wherein the plurality of switches are disposed on a transparent media adapter, the adapter operable to transmit a plurality of signals each in response to a distinct combination of actuated switches (col. 6, lines 37-54).

Regarding claim 8, Rabindran et al. discloses the template according to claim 7, wherein actuation of a distinct combination of switches results in the generation of a signal that is received by a computer operable to control the scanning system, the computer directing the scanning system to execute a scan routine in response to reception of the signal, the executed scan routine one of a plurality of scan routines executable by the system (col. 6, lines 37-54).

Regarding claim 9, Rabindran et al. discloses a transparent media adapter for a scanning system, the adapter comprising: an adapter housing; a signal transmission mechanism disposed within the adapter housing; and a switch disposed on the housing and actuatable by an actuation device on a template (figs. 7 & 8, col. 5, line 61 through col. 6 line 36).

Regarding claim 10, Rabindran et al. discloses the transparent media adapter according to claim 9, wherein actuation of the switch results in transmission of a signal by the adapter, the scanning system executing a scan routine in response to generation of the signal (col. 6, lines 37-54).

Regarding claim 11, Rabindran et al. discloses the transparent media adapter according to claim 9, further comprising a plurality of switches disposed on the housing each respectively actuatable by one of a plurality of actuation devices, the adapter operable to transmit a plurality of signals, the transmitted signal dependent on the combination of actuated switches (please refer to claims 1 and 5).

Regarding claim 12, Rabindran et al. discloses the transparent media adapter according to claim 9, further comprising a lamp located in the housing (col. 2, lines 55-60).

Regarding claim 14, Rabindran et al. discloses a method of scanning an image on a transparent media in a scanner system, the method comprising: actuating, by a template comprising an actuation device, a first switch on a transparent media adapter included in the scanner system; transmitting, by the transparent media adapter, a signal to a computer connected to the scanner system in response to actuation of the switch; and directing, by the computer, the scanner system to execute a scan routine associated with the signal (please refer to arguments under claims 1 and 5).

Regarding claim 15, argument analogous to those presented for claim 1 are applicable to claim 15.

Regarding claim 16, Rabindran et al. discloses the method according to claim 14, wherein the transparent media adapter further comprises a plurality of switches, the template further comprising a plurality of actuation devices, actuating the first switch further comprising actuating two or more switches of the plurality of switches with two or more of the actuation devices, the transmitted signal dependent on the combination of switches actuated (please refer to the arguments under claim 1).

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Regarding claim 17, Rabindran et al. discloses the method according to claim 16, further comprising interrogating, by the computer, a database of scan routines each associated with one of a plurality of signals, the executed scan routine associated with the transmitted signal (please refer to arguments under claim 5).

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 13 and 18-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rabindran et al. (U.S. Patent No. 4,185,900), and further in view of Van Auken et al. (U.S. Patent No. 3,677,635)

Regarding claims 13, 18-20 and 22, Rabindran et al. does not explicitly disclose a reflective scanner comprising a platen, a lamp, an optic system and one or more photosensitive devices. However, Van Auken et al. introduces a copying machine system including plurality of attachments for copying a sheet of document, a page of a book and reading/scanning of microfilm originals (abstract, col. 1, line 55 through col. 2, line 31, col. 3, lines 3-61). Therefore, it would have been obvious to a person of and ordinary skill in the art at the time the invention was made to combine Van Auken's invention with that of Rabindran for reading/scanning and copying of transmissive and reflective documents. and; a transparent media adapter comprising a switch disposed on a housing of the transparent media adapter, the transparent media adapter operable to illuminate a transparent media and to transmit a signal to a computer coupled to the

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scanner system upon actuation of the switch; and a template comprising an actuation device for actuating the switch, the computer directing the scanner system to execute a scan routine upon reception of the signal.

Regarding claim 21, argument analogous to those presented for claim 1 are applicable to claim 21.


***Contact Information***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Houshang Safaipoor whose telephone number is (703)306-4037. The examiner can normally be reached on Mon.-Thurs. from 6:30am to 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward L Coles, Sr. can be reached on (703)305-4712. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Houshang Safaipoor  
Patent Examiner  
Art Unit 2622  
December 24, 2004

  
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